

MINUTES

BRIGHTON TOWNSHIP BOARD OF SUPERVISORS

February 12, 2024

John Curtaccio, Chairman, called the regular meeting of the Board of Supervisors, located in the Municipal Building, 1300 Brighton Road, to order at 7:00 P.M. Nine (9) visitors were present.

PRESENT: John Curtaccio – Chairman
 Mark Piccirilli – Vice Chairman
 Gary J. Gordon – Supervisor
 Bryan K. Dehart - Manager/Secretary
 Marie S. Hartman, P.E. - Township Engineer

ABSENT: Kathryn L. Johnston, Esq. – Solicitor

Public Comment – Agenda Items: There was no public comment.

Minutes of January 8, 2024 Regular Meeting: Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to approve the minutes of the January 8, 2024 Regular Meeting.

Mr. Curtaccio dispensed with the reading of the monthly **January Reports**. Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the following January Reports as written and submitted.

- A. Treasurer’s Report
- B. Building Permit Report
- C. Road Department Report
- D. Police Department Report
- E. Fire Department Report
- F. Report of Tax Collectors
- G. Report of Fines
- H. Recycling Report

Personnel Actions: **Police Department – Full Time Hire:** Captain Richard Gianvito has given notice of his resignation from the Police Department to take a position with the Beaver County Detectives, creating a vacancy in the Department. Chief Blinn has recommended that the Board of Supervisors hire James Lema, as a full-time police officer effective March 4, 2024. Officer Lema is currently employed as a part-time officer.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to accept the resignation of Richard Gianvito, and to approve the hiring of James Lema as a full-time police officer effective March 4, 2024 subject to a 180 day probationary period, with wages and benefits as provided for in the Agreement between Brighton Township and the Beaver Valley Lodge 4 FOP / Brighton Township Police Officers Association.

Traffic Complaint – Lynn Haven Drive: Dr. Paul Stuck, Jr. of 155 Lynn Haven Drive submitted a letter listing traffic concerns he has for Lynn Haven Drive. Dr. Stuck was in attendance and addressed these issues with the Board. Dr. Stuck said that here are a lot of children now living on Lynn Haven Drive who walk to either end of the street for the school bus. He said that people do not come to a full stop at the stop signs on Western Avenue, that there is parking on both sides of the street, which make it difficult for delivery vehicles to pass through, and speeding. Mr. Curtaccio said that the Manager has reviewed this with the Police Chief. They recently placed a traffic counter device on the road to determine average speeds, and peak traffic flow periods. They found that the average speed is less than 25 mph. However, they did recently ticket persons for stop sign violations, and they will continue with an increased presence on the street. They will also check for parking in the wrong direction and ticket as appropriate. Dr. Stuck thanked the Board for their time and attention to his concerns.

Resident Discussion – Residential Zoning: Mr. J. Gary Gardner, 5260 Tuscarawas Road previously appeared before the Board in support of zoning changes for larger lot sizes that could lead to less residential development. He has requested time on the agenda to further discuss this matter. Mr. Gardner thanked the Board for the opportunity to discuss his request further. He said that the community survey conducted during the preparation of the comprehensive plan found that residents supported maintaining the rural character of Brighton Township and not expanding sewage further. He said neighbors of the recently submitted Roberts Run Plan are unhappy with the plan and have expressed traffic concerns. Another concern is a possible increase in school age children that could lead to a need for the school district to construct school additions or new buildings. Mr. Gardner said that the current zoning code is not written to prevent development, and wants to find a way to legally discourage further residential development by planning developments.

Mr. Curtaccio said that he does not support the positions being taken by Mr. Gardner. He noted that the published school enrollment numbers for Beaver Area School District are at their second lowest over the past 23-years. He also noted that he previously worked for the Sewage Authority for over 30 years, and over that period of time the Authority did to expend the sewage system to encourage new developments. Any subdivision that has been constructed required sewage extensions paid for at the cost of the developer. Mr. Piccirilli noted that the Sewage Authority still is taking that position, and said that the total population increase for the Township over the past 20-years is less than 1,000 persons. Mr. Curtaccio also pointed out that the Township has pursued the acquisition of open space parcels through land dedications or acquisitions. The Township Engineer reviewed the steps the Township takes through the subdivision and land development application and review process to have new plans meet specific standards for stormwater management, utility and infrastructure construction standards and landscaping. It was her opinion, based upon the many communities she has worked in, that the Township has some of the strongest standards in use.

BTVFD Fire Rescue Vehicle Discussion: The Board discussed the status of the Fire Department’s rescue vehicle, which has had extended periods of time out of service. Mr. Brian Hanne, an employee of the Brighton Township Volunteer Fire Department said that he has not secured the specific dates that the Rescue vehicle has been out of service, but stated that it has been out for warranty work since October 9, 2023, and said that the body warranty would be extended by 10-years. All work done has been under warranty. Mr. Curtaccio said that the leadership at Pierce Manufacturing is aware of the issues the VFD has had with the vehicle. Mr. Gordon said his concern is the amount of money expended for the vehicle and its extended unavailability to the community. The Board will review this further with the Township Solicitor.

Approve Order of 2026 Model Year Mack: A proposal in the amount of \$159,496.36 has been received from Tri-County Truck Center, part of The Watt Business Group, Inc., for the purchase of a 2026 model year Mack GR42FR single axel cab and chassis. The estimated build date is the first quarter of 2025. The purchase is through CoStars Contract 025-E22-389 Municipal Work Vehicles. It is noted on the order that pricing will be subject to future manufacturer material surcharges. The vehicle will replace the 2006 International.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the proposal in the amount of \$159,496.36 from Tri-County Truck Center, part of The Watt Business Group, Inc.

Award Bids for Sale of Vehicles and Equipment: Last fall the Board authorized the use of the Municibid.com on-line auction platform for the sale of vehicles and equipment. The on-line auction was advertised and bids closed on February 8th. The highest bids received are as follows:

1996 Ford Thunderbird	Daniel Hernandez	\$1,300.00
2017 Ford Explorer	Matt Mlaker	\$6,900.00
2018 Ford Explorer	Joseph Lindsay	\$5,600.00
2013 John Deere 997 Zero Turn	Frank Sokolowski	\$5,600.00
2003 Asphalt Zipper	Steve Johnston	\$20,000.00
Rapid Rain Traveling Sprinklers	Frank Sololowski	\$210.00
Bobcat Brushcat attachment	Michael Ryan	\$4,200.00
Cub Low Boy tractor	Michael Edmiston	\$725.00
York Rake	Jules Stash	\$825.00
Whelen Liberty series lightbar	Zack Wilkins	\$100.00
Whelen Edge 9M Lightbar	Zack Wilkins	\$120.00
Federal Signal siren bundle	Zack Wilkins	\$200.00
Federal Signal small lightbar combo	Zack Wilkins	\$50.00
Lot of various mini LED warning lights	Mario Caceres	\$60.00
Car Camera Bundle	Nicole Savage	\$480.00
Watch Guard Vista WiFi Body Cams (lot)	Randall Miller	\$395.10
Mobile Radio Bundle	Andrew Gustafson	\$1,699.00
Federal Signal Valor Lightbar Bundle	Ethan Puskas	\$300.00

No bids were made on the following:

Federal Signal Valor Lightbar Bundle	No Bid
Federal Signal Interior Light Bar	No Bid
Federal Signal Interior Light Bar	No Bid

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to accept the highest bid received for each of the items as read and listed.

Authorize Bids for 2024 Roadway Improvement Program: The Township Engineer provided preliminary cost estimates for various roads for consideration as part of the 2024 Roadway Improvement Program. The Township has \$475,000 budgeted for road paving. The following roads were selected for the 2024 roadway improvement program.

<u>Street Name</u>		<u>Cost Est.</u>
Coleman Drive	Tuscarawas Rd to end	\$ 73,159
Crest Drive	Coleman Dr to end	\$101,295
Maple Drive	Willow St. to Cypress St.	\$102,290
Birch Street	Willow St. to Maple Dr.	\$ 69,137
Cypress Street	Maple Dr. to Magnolia Dr.	\$ 19,798
Magnolia Dr.	Birch St. to End	\$ 75,856
Hickory Dr. 1	Magnolia Dr. to End	\$ 12,241
Hickory Dr. 2	Birch St. to end	\$ 10,389
	Estimated Total Base Bid:	\$464,165
<u>Add Alternate No. 1</u>		
Beech Street	Maple Dr. to Chestnut St.	\$ 58,520
<u>Add Alternate No. 2</u>		
Sycamore Street	Maple Dr. to Chestnut St.	\$ 57,940
<u>Contract B</u>		
BTMA Parking Lot Option 1		\$ 69,319
BTMA Parking Lot Option 2		\$ 44,931
BTMA Parking Lot Option 3		\$ 71,350

The Township Engineer said that once the Municipal Authority chooses the option they wish to bid, it will be listed as Contract B. She also noted that the Add Alternates must be awarded in the order listed.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize the Township Engineer to prepare bid specifications and documents for the 2024 Roadway Improvement Program and release them for bid.

Authorize Participation in the CoStars Salt Contract: Estimated quantities for the 2024/2025 winter contract are due March 15, 2024 for the CoStars State Contract for rock salt. Last year the Township included 1,750 tons of salt in the CoStars Salt Contract. The Township

can purchase up to 140% of the estimated quantity and is obligated to purchase a minimum 60% of the estimated quantity.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to authorize participation in the CoStars State Contract for rock salt for 1,750 tons.

Authorize Release of RFP for General Turf Mowing and Trimming Services: An RFP has been prepared for release for the mowing and trimming of Township parks. Properties included are Ellis Field, Dawson Ridge Park, Richmond School, and Two Mile Run Park. Proposal will be due prior to the March meeting. This RFP requests quotes for both 2024 and 2025.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to authorize the release of an RFP for General Turf Mowing and Trimming Services at selected Township Properties for 2024 and 2025.

Accept Grant Award for Two Mile Run Trails Phase II Project: A grant award of \$100,000 has been awarded to the Township through the PA DCED Greenways, Trails, and Recreation Program Grant program for the Two Mile Run Hiking Trail Phase II project. This phase was previously designed and laid out by the Township Engineer. The project will add 4,825 LF of additional trail in two loops.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the grant and authorizing execution of the grant contract.

Accept Grant Award for Land Acquisition: A grant award of \$75,000 has been awarded to the Township through the PA DCED Greenways, Trails, and Recreation Program Grant program for the Baycura Land Acquisition. The acquisition is of two (2) parcels on Brighton Road totaling approximately 13.2 acres. A DCNR grant of \$160,900 was previously awarded for this acquisition. At this time the Township Engineer is preparing the site survey and the Solicitor has ordered the title search.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to accept the grant and authorizing execution of the grant contract.

Accept Grant Award for BTVFD Fire Training Facility: A grant award of \$500,000 has been awarded to the Township through the PA DCED Economic Development & Community Initiatives Grant program for a fire training facility at Fire Station No. 3. The project includes site earthwork and grading, stormwater management and site development.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to accept the grant and authorizing execution of the grant contract.

Authorize New Account & Funds Transfer: Mr. Dehart asked the Board to authorize the creation of a new PLGIT account, Public Safety Grant, for the PA DCED Economic Development & Community Initiatives Grant being received for the fire training facility, and further requested

that the Board authorize a transfer of \$100,000 to the VFD Building Fund within the Capital Reserve Fund as part of the grant match.

Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to authorize a new PLGIT Public Safety Grant account with the Board and Township Manager as authorized signers, and also authorize a transfer of \$100,000 to the VFD Building Fund within the Capital Reserve Fund.

Resolution No. 2024-07 Appointing CPA: The Board has advertised its intent to appoint Mark C. Turnley, CPA to audit the accounts of the Township for the year ending December 31, 2023 and has approved the proposal for services.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Resolution No. 2024-07 appointing Mark C. Turnley, CPA to conduct the audit for the year ending December 31, 2023 and in accordance with his proposal letter of December 26, 2022 in the amount of \$10,750.

Resolution No. 2024-08 Approving the Disposition of Specific Public Records: The Board previously adopted the Municipal Records Manual providing the retention schedule for public records. Resolution No. 2024-08 authorizes the disposition of certain public records specified therein.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve Resolution No. 2024-08 authorizing the disposition of the records specified therein.

Two Mile Run PRP Stormwater Project Updates and/or Actions Including Land Acquisition Status: The Township Engineer is designing and obtaining permits for a stormwater facility to meet the full obligations of the Township's Pollution Reduction Plan (PRP) for the Two Mile Run watershed as part of the MS4 permit. The Engineer has scheduled an on-site meeting with the Geo-Technical Engineer to view the site for necessary core drillings. The Road Department will attend to discuss site access.

Mr. Dehart reported that the Peters-Brighton Township Plan of Subdivision and Lot Consolidation has been recorded. The Solicitor has ordered a title search on the land being acquired.

Township MS4 Annual Training and Public Presentation Program: The Township Engineer conducted a presentation, including annual educational training on the requirements of the Municipal Separate Storm Systems Program. The presentation included an overview of the current NPDES MS4 Permit and the annual tasks that are conducted pursuant to the permit requirements. The NPDES MS4 permit held by the Township applies to its stormwater infrastructure that is used to collect and convey stormwater, and authorizes the discharge of stormwater into Waters of the Commonwealth. The General Permit requires six (6) Minimum Control Measures (MCMs) to be implemented, and include:

- 1) MCM 1 Public Education and Outreach Program,

- 2) MCM 2 Public Involvement and Participation,
- 3) MCM 3 Illicit Discharge Detection and Elimination,
- 4) MCM 4 Construction Site Stormwater Runoff Control,
- 5) MCM 5 Post-Construction Stormwater Management (PCSM) in New and Re-Development Activities,
- 6) MCM 6 Pollution Prevention/Good Housekeeping.

The Township's stormwater management program must reduce the discharge of pollutants, protect water quality, and satisfy appropriate water quality requirements of the Clean Water Act and the Pennsylvania Clean Streams Law. As part of this program the Township has instituted an outfall inspection and illicit discharge detection & testing program, a construction site inspection process, and a post construction inspection program. Annual reports are due September 30th of each year. The report includes progress made for each MCM along with PRP and PCM progress.

The Township is implementing a Pollution Reduction Program that was developed pursuant to the permit. Implementation includes the Brighton Fields Retention Pond retrofit project and the Beaver Woods Pond retrofit project that have both been completed. The Two Mile Run drainage area project is now under permitting and under design. The following reductions are to be met by permit requirements:

- Achieve 10% reduction in pollutant loading of sediment.
- Achieve 5% reduction in pollutant loading of total phosphorus.

The current permit has been extended for two (2) additional years by PA DEP.

Excess Maintenance Agreement: Agreement No. 2024-01: An Excess Maintenance Agreement has been prepared for a 1.15 mile section of Neville Road for work at the Jenkins Well Pad. The Agreement is with Pin Oak Energy Partners LLC. A permit for over-posted wight hauling has also been submitted and the required bond has been posted.

Mr. Gordon made a motion, seconded by Mr. Piccirilli, vote unanimous, to approve and authorize execution of Excess Maintenance Agreement No. 2024-01 with Pin Oak Energy Partners LLC for 1.15 miles of Neville Road to be identified as Agreement No. 2024-01.

Deerfield Preserve – Corrective Action Notice: At the December meeting the Board authorized the Township Manager, Engineer, and Solicitor to proceed with all necessary actions to have corrective action taken by a reputable contractor to replace the perpendicular cross pipes installed on Fox Water Trail at the wetlands crossing and to repair/replace the damaged parallel storm water piping on Fox Water Trail that is damaged, with a claim to be filed with the developer's financial security for reimbursement of all costs incurred. A quotation has been received from Chaffee Excavating for an open cut replacement. A quote for replacement by bore crossing has been requested from Jet Jack, but not received to date. The Township Engineer will follow up with the contactor for a second quote. Once received, the best course of action will be taken. Payment will be by the financial security company.

Additional Business: There was no additional business.

Public Comment: Rachel Snyder of 511 Upland Avenue said that her parents reside at 395 Barclay Hill Road. Her daughter was walking her parents' dog on Barclay Hill Road when it was attacked by a dog from that area. She is frustrated that nothing has been done with the dog who bit her parents' dog. They have incurred expenses of thousands of dollars for surgeries. She has spoken with both the police department and the Beaver County Humane Society. In her view, the dog should be classified as a dangerous animal. The Board said that they are unaware of the situation and the laws governing the matter. They will have the Manager review this with the Chief of Police.

Todd Prince of 131 Ornida Drive discussed traffic on Tuscarawas Road and Penn D.O.T. regulations.

Ratify January Bills List: Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to ratify the January Bills List.

Adjournment: Mr. Piccirilli made a motion, seconded by Mr. Gordon, vote unanimous, to adjourn the meeting at 8:27 P.M.

Respectfully submitted,

Bryan K. Dehart
Township Secretary